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FARPOINTE DATA, INC.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 FARPOINTE DATA, INC.,

11 Plaintiff,

12 vs.

13 APPLIED WIRELESS IDENTIFICATIONS GROUP,  
14 INC. (AWID),

15 Defendant.

Case No.: C08 04236 (MEJ) CRB

**APPLICATION AND  
[PROPOSED] ORDER FOR  
CONTINUANCE OF THE CASE  
MANAGEMENT CONFERENCE**

TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

Farpointe Data, Inc., party to the above-captioned action, respectfully asks the Court to continue the Case Management Conference presently scheduled for December 18, 2008, be continued for at least thirty (30) days to allow the parties to discuss a potential settlement and for service of the complaint.

Dated: December 10, 2008

NIXON PEABODY LLP

By

David B. Ritchie

Attorney for Plaintiff  
Farpointe Data, Inc.

IT IS ORDERED that the Case Management Conference presently scheduled for December 18, 2008, be continued to January 23, 2009 at 8:30 am/pm. before the Honorable Charles R. Breyer in courtroom 8, 19th Floor.

DATED: December 15, 2008

